

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
April 14, 2015**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, April 14, 2015 at 6:00 p.m. in regular session with Mayor Pro Tem Terry Hill presiding, and the following present to wit:

Jose Luis Aguilar	Bill Rogers
Kent Bratcher	Nora Sanchez
Manuel Madrid, Jr.	Jeff Youtsey
Raul Rodriguez	

The following were absent:
Mayor Phillip Burch

Also present:
Aubrey Hobson, City Clerk-Treasurer
John Caraway, City Attorney

It was determined that a quorum was present. The invocation was given by Councilor Rodriguez, and all joined in the Pledge of Allegiance.

New Requests for City Facilities

Councilor Rodriguez moved to approve the Artesia Arts & Cultural District/Artesia Arts Council's request for the use of the Heritage Plaza and Walkway and 4th Street between Main Street and Texas Avenue from Friday, August 28, 2015 to Saturday, August 29, 2015 for the Red Dirt Black Gold Festival. Request approval of use of city services and road closures as stated on application and waiver of fees. Approval is contingent upon proof of insurances and security. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

Councilor Rodriguez moved to approve the Artesia Arts Council request for permission to hold an Oilfield Equipment Parade (contingent on State approval and proof of insurances) on Saturday, August 29, 2015 beginning at 9 am with the closure of Main Street from Bulldog Boulevard east to S. 2nd Street during the parade. Request approval of use of city services and road closures as stated on application and waiver of fees. The motion was seconded by Councilor Madrid and upon vote, the motion passed.

City Departments and Employees

Mayor Pro Tem Hill introduced Sandi Farley as the new Human Resources Director.

Consent Agenda

Councilor Youtsey moved to adopt the Consent Agenda as written. The motion was seconded by Councilor Rogers.

Councilor Aguilar requested that items 7A and H be pulled for discussion. He wants "Request actual expenses" to be put in place of "Request mileage." Councilor Youtsey moved to change items 7A and H. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Mayor Pro Tem went back to the original motion to pass the Consent Agenda as written and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: * March 24, 2015
2. Consideration of Bids:
3. Contracts, Leases and Agreements:
 - A. Approval for Mayor Burch to sign FY 2015 Audit Contract
 - B. Approval of IPA recommendation
4. Appointments:
5. Resignations:
6. Dates of Hearing:
 - A. Ratification of Mayor Burch's approval to set a public hearing for April 28, 2014 for consideration of an ordinance for the sale of property located at 1st and Texas
7. *Travel and Training:
 - A. Legislative – Permission to attend the NMLZO in Albuquerque, NM. Request actual expenses
 - B. Police – Permission for two (2) employees to attend the Basic Police Motorcycle Operator course in Farmington, NM
 - C. Police – Permission for two (2) employees to attend the 2015 Law Enforcement Coordinators Symposium in Albuquerque, NM
 - D. Police – Permission for one (1) employee to attend the SFST-Instructor update in Las Cruces, NM
 - E. Facility Maintenance – Permission for one (1) employee to attend a Building Operator certification in Santa Fe, NM
 - F. Facility Maintenance – Permission for one (1) employee to attend an Electrical Troubleshooting workshop in San Antonio, TX
 - G. Police – Permission for one (1) employee to attend the NM Police Chief's Association meeting in Albuquerque, NM
 - H. Legislative – Permission to attend the MOLI Advanced training in Santa Fe, NM. Request actual expenses
 - I. Infrastructure – Permission for one (1) employee to attend the Tribal/Local Public Agency Semi-annual training in Las Cruces, NM
 - J. Fire – Permission for four (4) employees to attend Fire Officer II training in Socorro, NM
 - K. Fire – Permission for two (2) employees to attend Fire Officer III/IV Combo training in Plano, TX
 - L. Fire – Permission for one (1) employee to attend the National Fire Protection Association Annual conference in Chicago, IL
 - M. Fire – Permission for one (1) employee to attend the Fire Instructor III training in Socorro, NM
 - N. Water – Permission for one (1) employee to attend the NMWWA Certification Program and exam in Espanola, NM

- O. Recreation – Permission for one (1) employee to attend the Certified Pool Operator certification in Roswell, NM
- P. Planning – Permission for one (1) employee to attend the NMLZO in Albuquerque, NM
- Q. Police – Permission for one (1) employee to attend the NM Sex Offender Registration training in Santa Fe, NM

- 8. Routine Requests for City Facilities:
- 9. Budgeted Items:
- 10. Non-budgeted Items:
- 11. *Payment of Bills

Public Hearings

Mayor Pro Tem Hill declared the meeting open for public hearing for the following:

- A. Consideration and approval of an ordinance amending Title 7 (Public Utilities) of the Artesia Municipal Code by adding Chapter 7-4 Water Conservation (postponed from February 10, 2015 meeting)

Infrastructure Director Byron Landfair and Scott Verhines, representing OCCAM Engineering, spoke to the Council regarding the proposed Water Conservation Ordinance.

No public comment was received.

After a discussion of proposed changes, Councilor Rogers moved to continue the public hearing at the April 28, 2015 council meeting. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

- B. Consideration and approval of an ordinance approving Case No. 15-03 Zone Change for R-1B Residential District to SU-1 Special Use District. Located 905 S. 20th Street being a portion of the N/2 of N/4 of S/2 of Section 18, T.17S., R.26 E. Owner-Church of God, Agent- Emily Moore/ Century 21 (postponed from February 10 & 24, 2015 meetings and March 10, 2015 meeting)

Jim McGuire stated that at this time, Planning and Zoning were recommending this request be denied, until a buyer for the property is found.

Michelle Green came before the Council to restate she had given each Council member a copy of the letter that had been read the first time this request came before the Council.

Councilor Rodriguez moved to approve the ordinance for Case No. 15-03 Zone Change for R-1B Residential District to SU-1 Special Use District. Located 905 S. 20th Street being a portion of the N/2 of N/4 of S/2 of Section 18, T17S, R26 E. Owner-Church of God, Agent- Emily Moore/ Century 21. The motion died for lack of a second.

C. Consideration and approval to adopt an ordinance approving a Project Participation Agreement (PPA) between CGS, LLC and the City of Artesia

Economic Development Director Michael Bunt presented information on the proposed Project Participation Agreement (PPA). The projected revenue for CGS is about \$10 million in 5 years. A stipulation of the PPA is that CGS creates 12 jobs with salaries of \$60,000 annually over a 3 year period.

No public comment was received.

Councilor Aguilar moved to approve the Project Participation Agreement between CGS, LLC and the City of Artesia. The motion was seconded by Councilor Rogers and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay:

the motion passed.

ORDINANCE NO. 961

D. Consideration and approval to adopt an ordinance authorizing the execution of an intergovernmental agreement and a Project Participation Agreement (PPA) accepting from the New Mexico Economic Development Department \$250,000 for economic assistance to CGS, LLC

Economic Development Director Michael Bunt presented information on the proposed Project Participation Agreement (PPA). He stated the City would be acting only as a fiscal agent for this PPA. Mark Roper from the New Mexico Economic Development Department informed the Council that this has not yet been approved by the State, but he saw no problem with getting the funding for CGS, LLC.

Councilor Youtsey moved to approve the execution of an intergovernmental agreement and a Project Participation Agreement (PPA) accepting from the New Mexico Economic Development Department \$250,000 for economic assistance to CGS, LLC. The motion was seconded by Councilor Bratcher and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay:

the motion passed.

ORDINANCE NO. 962

Jim McGuire stated that advertising for Items E-H on the agenda should be 15 days, but they were only advertised 14 days in advance. He stated they need to be moved to the April 28, 2014 meeting, and they already had approval by Mayor Burch to begin advertising.

Councilor Rodriguez moved to move these public hearings to the April 28, 2015 Council Meeting. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Councilor Sanchez moved that in accordance with the 10-15-1H(2) 7 (8), the Council and Mayor go into Executive Session to discuss limited personnel matters at this time. The motion was seconded by Councilor Bratcher and upon roll call vote with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay:

the motion passed.

Council went into to executive session at 7:37 p.m.

Council reconvened at 7:48 p.m.

Councilor Rodriguez moved that the only matters discussed in executive session pertained to limited personnel matters, and no action was taken. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Councilor Aguilar moved to terminate probationary Firefighter Dale Torrez, effective April 1, 2015. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Personnel

Councilor Rogers moved, upon recommendation of the Mayor Pro Tem, and subject to successful completion of required pre-employment testing, to hire Jeanette Galindo to the position of Cashier I at a salary of \$2,037 per month (CA 14). The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Councilor Rogers moved, upon recommendation of the Mayor Pro Tem, and subject to successful completion of required pre-employment testing, to hire Richard Lindberg to the position of FF/EMT-I at a salary of \$3,804 per month (CA 28). The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Councilor Rodriguez moved, upon recommendation of the Mayor Pro Tem, and subject to successful completion of required pre-employment testing, to hire Toby Bratcher to the position of FF/EMT-P at a salary of \$3,569 per month (CA 30). The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Councilor Rogers moved to accept the voluntary demotion of Solid Waste Supervisor Dora Sotello to Equipment Operator at a salary of \$2,747 per month (CA25). The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Public Safety

Police

Councilor Rogers moved to approve the MOU with the Pecos Valley Drug Task Force. The motion was seconded by Councilor Sanchez and upon vote, the motion passed.

Chief Raley presented the department statistics.

Fire

Councilor Youtsey moved to give permission to apply for AFG Grant to purchase new Fire Prevention and Education Trailer. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Chief Hummingbird presented the department statistics.

Community Development

- A. Consideration and approval of resolution of Condemnation of 1006 W. Washington Avenue

Cheryl Hinkle reported that required items in the letter delivered to the family have not been met.

Sofia Munoz, representing the family, stated she did not think the family has been given enough time to complete the work. She also thinks a lot of the work can be done without the required licensed contractor.

Councilor Bratcher moved to approve the resolution of condemnation of 1006 W. Washington Avenue. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

RESOLUTION NO. 1566

- B. Consideration and approval of resolution of Condemnation of 309 S. 40th Street

Cheryl Hinkle reported there has been no contact from the property owner.

Councilor Youtsey moved to approve the resolution of Condemnation of 309 S. 40th Street. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

RESOLUTION NO. 1567

- C. *Consideration and approval of resolution of Condemnation of 601 N. 16th Street

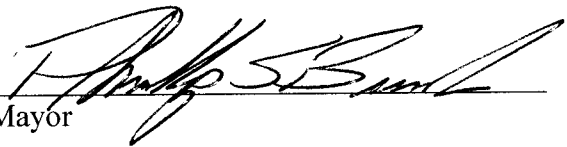
Cheryl Hinkle reported the family did not have the money to do anything with the property.

Councilor Aguilar moved to approve the resolution of Condemnation of 601 N. 16th Street. The motion was seconded by Councilor Youtsey and upon vote, the motion passed.

RESOLUTION NO. 1568

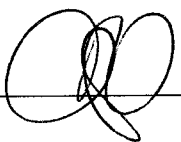
Jim McGuire presented the department statistics.

There being no further business to come before the Council, the meeting adjourned at 9:05 p.m.
April 14, 2015.



Mayor

ATTEST:



City Clerk